

REMARKS

Applicants are filing this amendment in response to the Examiner's requirement for restriction.

In response to the requirement for restriction, Applicants provisionally elect to prosecute the claim of Group III, namely, the crystals of natelinide "G" of the Formula (I). Applicants make this election with a partial traverse. Applicants believe that claim 5 should be examined together with claims 1, 2 and claim 11 at least to the extent that claim 11 is dependent upon claim 1. Applicants believe that there is unity of invention here because the crystals of natelinide "G" of the Formula (I) as set forth in claim 5 are novel and so is the process as now claimed in claims 1,2 and 11, since the process claims 1,2 and 11 now presented are all directed to preparing the compound of the Formula (I) as natelinide "G". Thus the novel structure of the crystals of natelinide "G" serves as the common technical feature to bind together both composition of matter claim 5 and the claims 1,2 and 11 directed to a process for making that novel composition.

Antecedent basis for the amendments to claim 1 may be found in Example 1 on pages 8 and 9 of the specification, especially on page 9, lines 1 to 14.

Applicants point out that they have amended claim 1 in order to more sharply define their invention over the prior art cited in the background portion of the application, namely J. Med. Chem., 32, 1436 (1989) and US Patent 4,816,484 to make it clear that the process as covered in claim 1 is directed to the preparation of the novel crystals of natelinide "G" of the Formula (I) and not to other crystalline forms of natelinide as disclosed in these two references.

Applicants await an action "on the merits"

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